

**Testimony of Cynthia L. Wolken, Esq.
Representing the Montana Chapter of the National Organization for the
Reform of Marijuana Laws (MT-NORML)**

**On House Bill 68
Before the House Human Services Committee
Montana State House of Representatives
January 21, 2011**

Please accept my testimony in respectful opposition to HB 68. For those unfamiliar with our mission, MT-NORML believes that all adult Montanans should have the right to responsibly use cannabis. This especially includes those with illnesses for which cannabis use can be beneficial. Therefore, MT-NORML supports the Montana Medical Marijuana Act, which was passed with the overwhelming support of voters in this state. However, we also recognize that the legislature must address some of the vagueness and gray area created by the law so that those using or producing medical cannabis can feel confident they are acting within the clear confines of the law.

First, it should be acknowledged that this bill has some positive provisions. It prohibits municipalities from enacting total bans on the sale of medical cannabis, which will put a stop to the inconsistent patchwork of restrictions we currently see throughout the state. It also calls for laboratory testing of cannabis, which provides consumers better information about the cannabis products they are using.

However, the burdensome and flawed sections of this bill unfortunately outweigh the beneficial provisions. First, HB 68 requires that a patient in chronic pain must go to two doctors in order to obtain a referral. This unfairly punishes people in pain - especially low-income people in remote, rural parts of the state who already have limited access to healthcare. It also arbitrarily prohibits people who happen to be on probation or parole from using cannabis - making cannabis different than any other drug in existence and taking away a doctor's ability to treat the patient's condition in the best way possible. The state should never come between a patient and his or her physician - this is heavy-handed, big brother government at its worst. Lastly, this bill does not clear up the gray area surrounding cannabis-infused products such as brownies or cannabis extracts.

Again, we acknowledge the need to clarify state medical cannabis laws to ensure the program operates efficiently and effectively for all Montanans. Unfortunately, this bill not only fails to address many of the gray areas, but creates even more flawed policy. For the above reasons, I respectfully request a no-vote on HB 68.